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May 20, 2010

BY UPS OVERNIGHT DELIVERY

Ramon Rivera
85-44 258th Street
Floral Park, New York 11001

Rivera v. Bank of America Home Loans, Case No. 09 CV 2450 (LB)

Dear Mr. Rivera:

I write in response to your letter dated May 12, 2010, in which you rejected the proposed loan modification offered by BAC Home Loans Servicing, LP ("BAC Servicing").

You were not offered a loan modification pursuant to the Home Affordable Modification program ("HAMP") based on your failure to respond to the HAMP modification offer made to you in July of 2009. Regarding your allegation that BAC Servicing is negotiating in bad faith, please note that the loan modification offered to you (i) reduced the interest rate on your loan; (ii) reduced your monthly payment of principal and interest; and (iii) had a lower initial monthly payment than the HAMP Trial Period payment offered by BAC Servicing in July of 2009.

However, BAC Servicing remains committed to reaching a mutually acceptable resolution of this litigation, and is currently re-evaluating your eligibility for a HAMP loan modification, although it is uncertain if a HAMP modification at this time would result in a better offer than the modification offer you previously rejected.

Very truly yours,



Michael E. Sims

MES:det

cc: Honorable Lois Bloom (By ECF)